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NO. 9473 P. 1

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IMPORTANT FAX DOCUMENT

DATE December 5, 2006
NAME Examiner Backhean Tiv
COMPANY U.S. Patent and Trademark Office - Group Art Unit 2151
YOUR REF NO. 09/944,288
FAX NUMBER 571-273-8300

INTELLECTUAL PROPERTY ATTORNEYS
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FROM Jason Jackson - Registration No. 56,733
OUR REFERENCE NO. 05125.0001U1
OUR FAX NUMBER 678-420-9301
NUMBER OF PAGES 26 (including this cover page)

Please see attached:

1. Transmittal Letter (2 pages)
2. Petition for Revival of an Application for Patent Abandoned Unintentionally (2 pages)
3. Response to Office Action (20 pages)
4. Credit Card Payment Form PTO-2038 in the amount of \$1500.00 (1 page)

CONFIDENTIALITY NOTE

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DEC 05 2006

ATTORNEY DOCKET NO. 05125.0001U1
PATENTIN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of)

Foley, et. al.)

Application No. 09/944,288)

Filed: August 30, 2001)

For: "DYNAMIC HOST CONFIGURATION
PROTOCOL IN A STORAGE
ENVIRONMENT")

Group Art Unit: 2151

Examiner: Tiv, Backhean

Confirmation No. 1888

TRANSMITTAL LETTERMail Stop Petition
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450NEEDLE & ROSENBERG, P.C.
Customer Number 23859

December 5, 2006

Sir:

Transmittal herewith is/are the following in the above-identified application:

- | | |
|--|---|
| <input checked="" type="checkbox"/> Petition for Revival of an Application for
Patent Abandoned Unintentionally | <input checked="" type="checkbox"/> Response to Office Action |
| <input type="checkbox"/> Fee as calculated below | <input type="checkbox"/> Supplemental Declaration |
| <input checked="" type="checkbox"/> No Additional Fee Required | <input type="checkbox"/> Terminal Disclaimer |
| <input type="checkbox"/> Corrected Drawings | <input type="checkbox"/> Other _____ |

CLAIMS AS AMENDED						
	CLAIMS REMAINING AFTER AMENDMENT	HIGHEST NUMBER PREVIOUSLY PAID FOR	PRESENT EXTRA	RATE	ADDITIONAL FEE	
Total Claims	15	21		X \$50.00	\$0.00	
Independent Claims	3	3		X \$200.00	\$0.00	
<input type="checkbox"/> First Presentation of a Multiple Dependent Claim				+ \$360.00	\$0.00	
EXTENSION FEE	1 st Month \$120 <input type="checkbox"/>	2 nd Month \$450 <input type="checkbox"/>	3 rd Month \$1020 <input type="checkbox"/>	4 th Month \$1590 <input type="checkbox"/>	5 th Month \$2160 <input type="checkbox"/>	\$0.00
<input type="checkbox"/> Reduction by 1/4 for filing by SMALL ENTITY (Note 37 C.F.R. §1.9, §1.27, §1.28) -					- \$0.00	
TOTAL FEE DUE					\$0.00	

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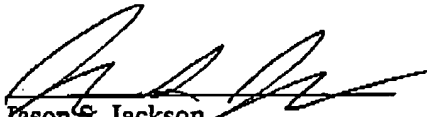
NO. 9473 P. 3

ATTORNEY DOCKET NO. 05125.0001U1
APPLICATION NO. 09/944,288

Payment:

- ☐ A check in the amount of \$_____ is enclosed.
- ☒ Payment by credit card in the amount of \$1500.00 for the Petition to Revive fee. (Form PTO-2038 enclosed).
WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.
- ☐ The Commissioner is authorized to charge our Deposit Account No. 14-0629 in the amount of \$_____ to cover the above-listed additional fees. A duplicate copy of this transmittal is enclosed.
- ☒ In the event of an overpayment or improper payment of a required fee, the Commissioner is authorized to charge or credit our Deposit Account No. 14-0629 as required to correct the error.

NEEDLE & ROSENBERG, P.C.


Jason S. Jackson
Registration No. 56,733

NEEDLE & ROSENBERG, P.C.
Customer Number 23859
(678) 420-9300
(678) 420-9301 (fax)

CERTIFICATE OF FACSIMILE TRANSMISSION UNDER 37 C.F.R. §1.8

I hereby certify that this correspondence and any items indicated as attached or included are being transmitted via facsimile transmission to:
Examiner Backbean Tiv, Art Unit 2151, (571) 273-8300, on the date indicated below.

Monick Lewis

Date

12/5/06

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NO. 9473 P. 4

DEC 05 2006

ATTORNEY DOCKET NO. 05125.0001U1
PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of)	
)	
Foley, <i>et. al.</i>)	Group Art Unit: 2151
)	
Application No. 09/944,288)	Examiner: Tiv, Backhean
)	
Filed: August 30, 2001)	Confirmation No. 1888
)	
For: "DYNAMIC HOST CONFIGURATION)	
PROTOCOL IN A STORAGE)	
ENVIRONMENT")	

**PETITION FOR REVIVAL OF AN APPLICATION FOR
PATENT ABANDONED UNINTENTIONALLY UNDER 37 C.F.R. § 1.137(b)**

Commissioner for Patents
Mail Stop PETITION
Post Office Box 1450
Alexandria, Virginia 22313-1450

NEEDLE & ROSENBERG, P.C.
Suite 1000
999 Peachtree Street
Atlanta, Georgia 30309-3915

Sir: December 5, 2006

The Applicant hereby petitions pursuant to 37 C.F.R. § 1.137(b) for the revival of the above-identified application ("Application"), which was unintentionally abandoned. The Application became abandoned because the Office Action mailed June 29, 2005 by the United States Patent and Trademark Office was not received by the representative of the Applicant, and thus, the Applicant was unable to timely respond. The abandonment date of this application was September 29, 2005. Pursuant to 37 C.F.R. § 1.137(b), the Applicant hereby states that the entire delay in filing the required reply from the due date of the reply until the filing of this Petition was unintentional. Since the Application was filed on or after June 8, 1995, no terminal disclaimer is required.

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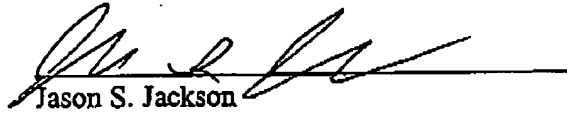
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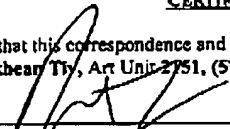
ATTORNEY DOCKET NO. 05125.0001U1
APPLICATION NO. 09/944,288

This petition is accompanied by a copy of the required reply that was due September 29, 2005, and a Credit Card Payment Form in the amount of \$1,500.00 for the Petition Fee, as appropriate for a large entity per 37 C.F.R. §1.17(m). These amounts are believed to be correct. However, the Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 14-0629.

Respectfully submitted,


Jason S. Jackson
Registration No. 56,733

NEEDLE & ROSENBERG, P.C.
Customer Number 23859
(678) 420-9300
(678) 420-9301 (fax)

CERTIFICATE OF FACSIMILE TRANSMISSION UNDER 37 C.F.R. §1.8	
I hereby certify that this correspondence and any items indicated as attached or included are being transmitted via facsimile transmission to: Examiner Backbeary Ty, Art Unit 2751, (571) 273-8300, on the date indicated below.	
 Monick Lewis	<u>12/5/06</u> Date